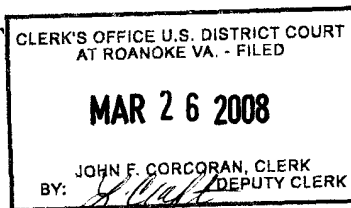


UNITED STATES DISTRICT COURT

for the

Western District of Virginia



United States of America)

v.)

Fred Ira Wade, Jr.)

Date of Previous Judgment: July 20, 2007)

(Use Date of Last Amended Judgment if Applicable))

Case No: 7:04CR00127-001

USM No: 10892-084

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 396 months **is reduced to** 390 months*.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23

Amended Offense Level: 21

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: 92 to 115 months

Amended Guideline Range: 77 to 96 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

*The 36 month sentence imposed on July 20, 2007 as to Count One represented a departure from the guideline range and is hereby reduced to 30 months, a comparable departure from the amended guideline range. The total sentence after this reduction thus consists of 30 months as to Count One, 60 months as to Count Five, and 300 months as to Count Seven, all to be served consecutively to each other.

III. ADDITIONAL COMMENTS

The factors listed in 18 U.S.C. § 3553(a) having been considered, the government's objections are overruled.

Except as provided above, all provisions of the judgment dated July 20, 2007 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 26, 2008

James C. Turk
Judge's signature

Effective Date: _____
(if different from order date)

James C. Turk, Senior United States District Judge
Printed name and title